



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

VALERIE ERVIN
COUNCILMEMBER
DISTRICT 5

Memorandum

Date: April 11, 2013

To: David Dise, DGS Director

From: Valerie Ervin, Councilmember

Re: Update on Remediation Efforts at the Silver Spring Transit Center

I appreciate your prompt update describing ongoing efforts by the Executive Branch to remediate the problems identified at the Silver Spring Transit Center. As the Councilmember who represents Silver Spring, I continue to have serious concerns about the ongoing impact of the continuing delays and cost overruns on this project. I believe that our taxpayers deserve a full explanation as to what went wrong and how we are going to ensure that these issues do not occur on future projects.

In your April 5, 2013 memorandum to Council President Navarro you state, "You will recall the KCE report cited the absence of post-tensioning (PT) cables and certain steel elements in the two pour strips on the Level 330 slab. Discovering this in the course of its investigations, KCE immediately brought this serious construction defect to the County's attention in early August 2012."

As you review the issues associated with this project, I would like you to follow up on the following items:

- Was August 2012 the first time the County learned that there were no post-tensioning located on the Level 330 slab? Why did it take so long to discover this? Didn't inspectors provide reports that would have revealed this defect?
- Were the subcontractors required to provide engineering and shop drawings to the County for review? If so, who is responsible for this review, and why weren't problems with the design discovered earlier?
- It is my understanding that County inspectors were on-site as the Silver Spring Transit Center was constructed. Please describe the nature of the work these inspectors were to perform and if they provided reports to the Executive Branch.

- What has been the nature of the ongoing discussions with the contractors on this job? What is the process that will be followed if a dispute emerges during the negotiations with any of these contractors? What is the process for adjudication, if a dispute emerges during the negotiations with the contractors?
- What can we do to provide easier access for residents, who are attempting to board Metro, while the remediation efforts are occurring?
- What steps are being taken to ensure that issues like the ones that occurred at the Silver Spring Transit Center do not happen on other County projects?

While I am looking forward to the Office of Legislative Oversight's report, "Designing and Constructing Public Buildings: A Review of Best Practices and Models in Local Jurisdictions", which will enhance our understanding of the design and construction of facilities by looking at best practices used in other jurisdictions, I continue to hope that the Council will decide to move forward with an independent industry expert to advise us as we move forward. If that does not occur, we will be relying on your expertise and advice.

If you would like to discuss this memorandum, please don't hesitate to contact me.

c: Councilmembers